



NEWS RELEASE

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Ninth Circuit Judge Andrew J. Kleinfeld to Take Senior Status

SAN FRANCISCO – Judge Andrew J. Kleinfeld of the United States Court of Appeals for the Ninth Circuit has announced his intention to take senior status. Judge Kleinfeld, who has chambers in Fairbanks, Alaska, plans to step down as an active judge on June 12, 2010, his 65th birthday. He will have more than 18 years of service to the court at that time.

Nominated by President George H.W. Bush, Judge Kleinfeld came onto the Ninth Circuit Court of Appeals on September 16, 1991. He ranks seventh in years of service among the current 26 active judges of the court.

Taking senior status is an alternative to retirement, allowing federal judges to continue to serve the court while cutting back their caseloads over time. Senior judges maintain an office and a staff, and are required to handle at least 25 percent of an active judge's caseload. Many senior judges carry substantial caseloads for a number of years.

Judge Kleinfeld has notified President Obama of his intention to take senior status, and informed judicial colleagues and court staff by email.

"It's quite an honor and privilege to be able to serve your country as a federal judge. I appreciate the last 24 years and look forward to more," Judge Kleinfeld said.

Prior to coming onto the Ninth Circuit bench, Judge Kleinfeld served as a district judge of the U.S. District Court for the District of Alaska, 1986 to 1991, and as a part-time magistrate judge of that court, 1971 to 1974. All told, he has nearly 25 years of service as an Article III judge in addition to his years of service as a part-time magistrate judge.

A native of New York City, Judge Kleinfeld is a graduate of Wesleyan University, where he received his B.A. in 1966. He received his J.D. from Harvard University in 1969, then served as law clerk to Judge J.A. Rabinowitz of the Alaska Supreme Court, 1969 to 1971. He was in private practice in Fairbanks from 1971 to 1986.

Federal law allows an Article III judge with the requisite tenure on the bench to retire as early as age 65 at current salary. Many judges choose, instead, to take senior status and continue to serve the judiciary at essentially no cost. The "Rule of 80" is the commonly used shorthand for the age and service requirement for a judge to assume senior status. Eligible are judges who are at least 65 with 15 years experience, or judges at least 70 with 10 years experience.

The Ninth Circuit Court of Appeals, the nation's largest and busiest appellate court, hears appeals of cases decided by federal trial courts and certain executive branch administrative agencies in nine western states and two Pacific Island jurisdictions. The court reported 12,223 appeals filed in 2009. The court sits monthly in Seattle, San Francisco and Pasadena, every other month in Portland, twice per year in Honolulu and once in Anchorage.

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